

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In Re:

**DAVID G. WALLACE, JR.,
Debtor,**

ZT WEALTH DEVELOPMENT, L.P.

Plaintiff,

V.

**DAVID G. WALLACE, JR.,
Defendant.**

15-31594-H4-7

Adv. No. 15-03242

**TASEER BADAR’S AND ZT WEALTH DEVELOPMENT, L.P.’S RESPONSE TO
BAJJALI’S EMERGENCY MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Taseer Badar and ZT Wealth Development, L.P. hereby respond to Defendant Costa Bajjali's Emergency Motion to Compel Production of Documents.

1. Badar and ZT Wealth (collectively, “Respondents”) have produced documents relevant to this proceeding in connection with their Rule 26 Disclosures. Now, Bajjali has issued severely overbroad requests for additional information that go well beyond the scope of this proceeding. Respondents request that the Court uphold their objections that the requests are overbroad, unduly burdensome, vague as to sending or receiving party and as to time, and that they go well beyond the scope of this proceeding.

2. Despite their legitimate objections, Respondents have agreed to produce a number of responsive documents by searching for and pulling emails from archive systems. Unfortunately, that process has taken longer than normal due to irregularities in the search and retrieval process. Respondents have now resolved those issues.

3. Respondents, through counsel, have informed Bajjali that they will produce numerous documents, primarily emails, in response to the requests. Respondents have been working diligently with an outside service to collect and review responsive emails. As Mr. Bajjali admits, technical issues have hampered that review. As of the filing of this Response, we believe that all of the emails and responsive documents have been pulled from archives, servers, etc., and the volume of those documents is staggering. The process of reviewing those documents for attorney-client privilege, confidentiality, and relevance has been underway, but is not expected to be completed until on or about October 27, 2016. Respondents will produce responsive documents in a “rolling” fashion, as groups of them are completed in their reviews. This will likely result in some documents being produced multiple times, but it will accomplish getting many of the emails and attachments into the hands of Mr. Bajjali sooner.

4. As indicated throughout the responses to the Requests, Respondents do not intend to produce every email sent/received/cc'd/bcc'd from each email address listed because such requests are inappropriately overbroad, unduly burdensome, and/or vague as to time. Respondents will be overinclusive in producing emails in an effort to expedite the discovery process.

5. Respondents have provided Mr. Bajjali with numerous documents in connection with their Rule 26 Disclosures, so to argue that they have no documents with which to respond to the Motion for Summary Judgment is disingenuous, particularly in light of the subject matter of the Motion for Summary Judgment.

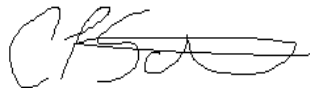
6. Respondents have no desire or motivation to obstruct the discovery process. They wish to have this proceeding resolved as inexpensively and quickly as possible. However, the burden imposed on them by Mr. Bajjali's vague and overbroad requests, combined with

technical difficulties associated with creating such broad server queries to find responsive documents, has caused unwanted delay.

7. Additionally, Mr. Patterson has undertaken to represent David Wallace in this litigation. That representation arose during the time period that Respondents' counsel was communicating with Mr. Patterson about the discovery objections at issue. Plaintiffs in this proceeding and in the related adversary proceeding are currently discussing with outside ethics counsel whether Mr. Patterson now has an irreconcilable conflict of interest in light of prior claims between Wallace and Bajjali and their testimony in depositions in this Bankruptcy Proceeding. Plaintiffs are concerned about possibly waiving any conflict if they discuss the discovery issues with Mr. Patterson, which has complicated this process.

8. In conclusion, Respondents are doing everything within reason to complete the document review and to produce responsive documents. To the extent that Mr. Bajjali requires an extension of his deadline to respond to the Motion for Summary Judgment, Respondents are not opposed to such an extension, but this crisis is one of their own making.

Submitted this 20th day of October, 2016. Respectfully submitted,

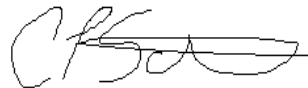


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to all counsel of record by electronic mail through the CM/ECF system.

A handwritten signature in black ink, appearing to read 'C. Thomas Schmidt', is positioned above a horizontal line.

C. Thomas Schmidt